Approved for Release: 2018/10/01 C06626783

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CN 7834

ABF File

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TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM	CLASSIFICATION
AMEMBASSY BUENOS AIRES	CONFIDENTIAL

12065
E.O. XXXXX
TAGS:
SUBJECT: GDS 9/20/85 (FREEMAN, ANTHONY G.)OR-P
SHUM AR
(U) ARGENTINE SUPREME COURT REPORTEDLY ORDERS TIMERMAN'S RELEASE

ACTION: SECSTATE WASHDC NIACT IMMEDIATE

C O N F I D E N T I A L BUENOS AIRES 7834

REF: BUENOS AIRES 4943

AMB
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1. (U) SEVERAL NEWSPAPERS CARRIED STORIES SEPTEMBER 20 REPORTING A RECENT SUPREME COURT DECISION ORDERING THE RELEASE OF NEWSPAPER PUBLISHER JACOBO TIMERMAN, WHO HAS BEEN HELD UNDER ARREST BY THE GOVERNMENT FOR THE PAST TWO AND A HALF YEARS. TIMERMAN IS CURRENTLY UNDER HOUSE ARREST AT THE DISPOSITION OF THE MILITARY JUNTA.

2. (U) THE ACCOUNTS IN THE VARIOUS NEWSPAPERS DIFFER ON DETAILS. ACCORDING TO LA NACION'S VERSION, WHICH IS IN CONSIDERABLY GREATER DETAIL, THE SUPREME COURT IN A DECISION DATED SEPTEMBER 17 DECIDED: (A) TO REVOKE TIMERMAN'S ARREST STATUS; (B) AGREE TO THE HABEAS CORPUS PETITION PRESENTED IN TIMERMAN'S FAVOR; AND (C) INTERCEDE WITH THE MILITARY JUNTA WITH THE OBJECTIVE OF OBTAINING HIS RELEASE. ACCORDING TO THE LA NACION STORY, THE COURT

DRAFTED BY	DRAFTING DATE	TEL EXT	CONTENTS AND CLASSIFICATION APPROVED BY
POL:AGFREEMAN:SZ	9/20/79	278	APOL:AGFREEMAN

CLEARANCES

POL:TBFRIEDMAN

DCM:MCHAPLIN

CLASSIFICATION

50153-101

OPTIONAL FORM 153
(Formerly FS-413)
January 1975
Dept of State

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TRANSMITTED ITS DECISION TO THE CURRENT SECRETARY OF THE MILITARY JUNTA, ARMY GENERAL BIGNONE ON SEPTEMBER 18.

3. (U) THE NACION STORY INDICATES THAT THE OPINION IS BASED ON THE PETITIONER'S CHALLENGE AGAINST TIMERMAN'S DETENTION MEKK UNDER THE ACT OF INSTITUTIONAL RESPONSIBILITY AS OPPOSED TO THE GOA'S PEN AUTHORITY ON WHICH THE COURT HAS ALREADY RULED. HOWEVER /WE ARE NOT CLEAR AS TO THE DETAILS OF THE DECISION.

4. (U) THE HERALD REPORTS THAT THE COURT'S REQUEST FOR TIMERMAN'S LATEST RELEASE IS IN THE HANDS OF JUSTICE MINISTER RODRIGUEZ VARELA AND THAT NO ACTION WILL BE TAKEN ON IT UNTIL NEXT WEEK. HERALD SOURCES REPORTED THAT GOVERNMENT AUTHORITIES WERE STUDYING THE CASE AS OF YESTERDAY AFTERNOON.

6. (U) WE ARE CHECKING FURTHER.

7. (C) ACCORDING TO A WELL-INFORMED HUMAN RIGHTS SOURCE, THE COURT HAD INDIRECTLY SUGGESTED TO TIMERMAN'S LAWYER SOME MONTHS AGO THAT IT MIGHT ACT FAVORABLY IF A CHALLENGE WERE PRESENTED AGAINST TIMERMAN'S DETENTION ON THE BASIS OF THE ACT OF INSTITUTIONAL RESPONSIBILITY.

CASTRO RIA

50152-201

OPTIONAL FORM 152a(H)
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